



PATENT  
Docket No. 399632003300

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on October 25, 2001.

*Rebekah Werth*  
Rebekah Werth

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Alessandro SETTE et al.

Serial No.: 09/894,018

Filing Date: June 27, 2001

For: METHOD AND SYSTEM FOR  
OPTIMIZING MINIGENES AND  
PEPTIDES ENCODED THEREBY

Examiner: To be Assigned

Group Art Unit: To be aAssigned

**TRANSMITTAL**

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Attached hereto for filing are the following:

1. Response to Notice to file missing parts of nonprovisional application
2. Copy of Notice to file missing parts of nonprovisional application
3. A compact disc copy of Sequence Listing on CD-R  
(COPY 1)
  - Machine format: IBM PC COMPATIBLE
  - Operating system: PC-DOS/MS-DOS
  - File contained on CD: 3996320033.txt (141KB)
  - Date recorded: October 25, 2001
4. A duplicate compact disc copy of Sequence Listing on CD-R  
(COPY 2)
  - Machine format: IBM PC COMPATIBLE

-Operating system: PC-DOS/MS-DOS  
-File contained on CD: 3996320033.txt (141KB)  
-Date recorded: October 25, 2001

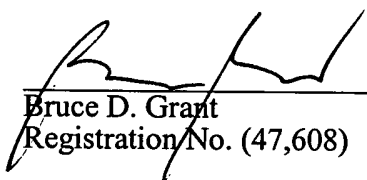
5. A computer readable form copy of Sequence Listing on CD-R (CRF COPY)  
-Machine format: IBM PC COMPATIBLE  
-Operating system: PC-DOS/MS-DOS  
-File contained on CD: 3996320033.txt (141KB)  
-Date recorded: October 25, 2001
6. Request for correction of drawings
7. Substitute set of drawings for Fig. 11A, 13A, 18A-N and 19A-E
8. Set of drawings with proposed changes in red
9. Return postcard

In the unlikely event that the Patent Office determines that extensions and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or fees due to our Deposit Account No. 03-1952 under Order No. 399632003300 The Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: October 25, 2001

By:

  
Bruce D. Grant  
Registration No. (47,608)

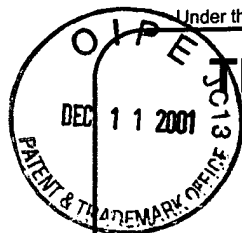
Morrison & Foerster LLP  
3811 Valley Centre Drive  
Suite 500  
San Diego, California 92130-2332  
Telephone: (858) 720-7962  
Facsimile: (858) 720-5125

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/02. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

67

Application Number

09/894,018

Filing Date

27 June 2001

First Named Inventor

Alessandro SETTE

Group Art Unit

Unknown

Examiner Name

Unknown

Attorney Docket No.

399632003300

## ENCLOSURES (check all that apply)

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                                   | <input type="checkbox"/> Assignment Papers<br>(for an Application)                                    | <input type="checkbox"/> After Allowance Communication to Group   |
| <input type="checkbox"/> Fee Attached  | <input checked="" type="checkbox"/> Drawing(s) (21 pages)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences   |
| <input checked="" type="checkbox"/> Amendment / Reply (10 pages)                           | <input type="checkbox"/> Licensing-related Papers   | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)   |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declarations   | <input type="checkbox"/> Petition to Convert to a Provisional Application                             | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request   | <input checked="" type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Copy of Notice to File Missing Parts<br>Declaration (combined with POA)<br>Sequence Listing Transmittal<br>Request for Correction of Drawings<br>Return-receipt postcard |
| <input type="checkbox"/> Express Abandonment Request                                       | <input type="checkbox"/> Terminal Disclaimer  |   |
| <input type="checkbox"/> Information Disclosure Statement                                  | <input type="checkbox"/> Request for Refund   |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                            | <input checked="" type="checkbox"/> CD, Number of CD(s) 3   |   |
| <input checked="" type="checkbox"/> Response to Missing Parts/<br>Incomplete Application   | Remarks   |   |
| <input checked="" type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 |   |   |

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

Bruce D. Grant Reg. No. 47,608

or

Morrison &amp; Foerster LLP

Individual Name

3811 Valley Centre Drive, Suite 500, San Diego, California 92130

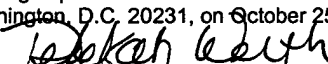
Signature

Date

October 25, 2001

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 25, 2001.

  
 ) Rebekah Werth

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL FOR FY 2002

DEC 11 2001

Patent fees are subject to annual revision.

## Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   | 09/894,018       |
| Filing Date          | 27 June 2001     |
| First Named Inventor | Alessandro SETTE |
| Examiner Name        | Unknown          |
| Group Art Unit       | Unknown          |
| Attorney Docket No.  | 399632003300     |

TOTAL AMOUNT OF PAYMENT

(\$ 120.00)

### METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 03-1952, referencing 399632003300

Deposit Account Name: Morrison & Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 740             | 201            | 370             | Utility filing fee     |          |
| 106            | 330             | 206            | 165             | Design filing fee      |          |
| 107            | 510             | 207            | 255             | Plant filing fee       |          |
| 108            | 740             | 208            | 370             | Reissue filing fee     |          |
| 114            | 160             | 214            | 80              | Provisional filing fee |          |

SUBTOTAL (1) (\$)

#### 2. EXTRA CLAIM FEES

| Total Claims       | * - 20** = | Extra Claims | Fee from below | Fee Paid |
|--------------------|------------|--------------|----------------|----------|
| Independent Claims | - 3** =    | *            | x              | = \$     |
| Multiple Dependent |            |              |                | = \$     |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   |
|----------------|-----------------|----------------|-----------------|---|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                    |
| 102            | 84              | 202            | 42              | Independent claims in excess of 3                         |
| 104            | 280             | 204            | 140             | Multiple dependent claims, if not paid                    |
| 109            | 84              | 209            | 42              | **Reissue independent claims over original patent         |
| 110            | 18              | 210            | 9               | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)\*

\*\* or number previously paid, if greater; For reissues, see above.

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  | Fee Paid |
|----------------|-----------------|----------------|-----------------|--|----------|
| 105            | 130             | 205            | 65              | Surcharge - late filing fee or oath  | 65.00    |
| 127            | 50              | 227            | 25              | Surcharge - late provisional filing fee or cover sheet                       |          |
| 139            | 130             | 139            | 130             | Non-English specification  |          |
| 147            | 2,520           | 147            | 2,520           | For filing a request for ex parte reexamination                              |          |
| 112            | 920*            | 112            | 920*            | Requesting publication of SIR prior to Examiner action                       |          |
| 113            | 1,840*          | 113            | 1,840*          | Requesting publication of SIR after Examiner action                          |          |
| 115            | 110             | 215            | 55              | Extension for reply within first month                                       | 55.00    |
| 116            | 400             | 216            | 200             | Extension for reply within second month                                      |          |
| 117            | 920             | 217            | 460             | Extension for reply within third month                                       |          |
| 118            | 1,440           | 218            | 720             | Extension for reply within fourth month                                      |          |
| 128            | 1,960           | 228            | 980             | Extension for reply within fifth month                                       |          |
| 119            | 320             | 219            | 160             | Notice of Appeal   |          |
| 120            | 320             | 220            | 160             | Filing a brief in support of an appeal                                       |          |
| 121            | 280             | 221            | 140             | Request for oral hearing   |          |
| 138            | 1,510           | 138            | 1,510           | Petition to institute a public use proceeding                                |          |
| 140            | 110             | 240            | 55              | Petition to revive - unavoidable   |          |
| 141            | 1,280           | 241            | 640             | Petition to revive - unintentional   |          |
| 142            | 1,280           | 242            | 640             | Utility issue fee (or reissue)   |          |
| 143            | 460             | 243            | 230             | Design issue fee   |          |
| 144            | 620             | 244            | 310             | Plant issue fee  |          |
| 122            | 130             | 122            | 130             | Petitions of the Commissioner  |          |
| 123            | 50              | 123            | 50              | Petitions related to provisional applications                                |          |
| 126            | 180             | 126            | 180             | Submission of Information Disclosure Stmt                                    |          |
| 581            | 40              | 581            | 40              | Recording each patent assignment per properties (times number of properties) |          |
| 146            | 740             | 246            | 370             | Filing a submission after final rejection (37 CFR § 1.129(a))                |          |
| 149            | 740             | 249            | 370             | For each additional invention to be examined (37 CFR § 1.129(b))             |          |
| 179            | 740             | 279            | 370             | Request for Continued Examination (RCE)                                      |          |
| 169            | 900             | 169            | 900             | Request for expedited examination of a design application                    |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 120.00)

### SUBMITTED BY

Complete (if applicable)

|                   |                |                                   |                  |           |                |
|-------------------|----------------|-----------------------------------|------------------|-----------|----------------|
| Name (Print/Type) | Bruce D. Grant | Registration No. (Attorney/Agent) | 47,608           | Telephone | (858) 720-7962 |
| Signature         |                | Date                              | October 25, 2001 |           |                |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

sd-63435



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/894,018         | 06/27/2001          | Alessandro Sette      | 399632003300           |

Bruce Grant  
Morrison & Foerster LLP  
Suite 500  
3811 Valley Centre Drive  
San Diego, CA 92130-2332

RECEIVED

JUL 31 2001

CONFIRMATION NO. 7107

## FORMALITIES LETTER



\*OC000000006341430\*

#4

Date Mailed: 07/25/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/14/2001 TBESHAH1 00000050 031952 09894018 FILED UNDER 37 CFR 1.53(b)  
01 FC:205 65.00 CH Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

DOCKETED

REMINDER:

DUE DATE:

FINAL DUE DATE:

seq. data and  
M/P response


9/25/01

2/25/02

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

---

*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT  
Docket No. 399632003300

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on October 27, 2001.

*Rebekah Werth*  
Rebekah Werth

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Alessandro SETTE et al.

Serial No.: 09/894,018

Filing Date: June 27, 2001

For: METHOD AND SYSTEM FOR  
OPTIMIZING MINIGENES AND  
PEPTIDES ENCODED THEREBY

Examiner: To be Assigned

Group Art Unit: To be Assigned

**REQUEST FOR CORRECTION OF DRAWINGS**

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed are twenty one (21) substitute sheets of drawings for Figures 11A, 13A, 18A-N and 19A-E in connection with the above-identified application. In addition, please find enclosed a set of drawings showing the proposed changes in red.

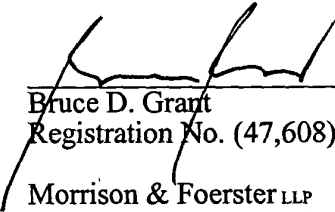
The Figures are amended to include sequence identification numbers which were inadvertently omitted at the time of filing. Applicants respectfully request the entry of these amendments.

In the unlikely event that the transmittal letter is separated from this request and the U.S. Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing to our **Deposit Account No. 03-1952**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: October 25, 2001

By:

  
Bruce D. Grant  
Registration No. (47,608)

Morrison & Foerster LLP  
3811 Valley Centre Drive  
Suite 500  
San Diego, California 92130-2332  
Telephone: (858) 720-7962  
Facsimile: (858) 720-5125